

Agency Activity Inventory
by Agency
Appropriation Period: FY 2007-08

Agency: L36 - Human Affairs Commission

Functional Group: Transportation &
Regulatory

1140 Board of Commissioners

The Board of Commissioners, consisting of 15 members, sets policy for the Agency's operations and activities; supervises receipt, investigation and resolution of public sector cases of employment discrimination; conducts public hearings, as required; and meets frequently, or at the call of the Chair, to conduct business of the Commission. (Sections 1-13-40 and 1-13-60 of the SC Code of Laws of 1976, as amended).

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$9,500	\$9,500	\$0	\$0	\$0	\$0	0.00

Expected Results:

Provide effective oversight of the Commission.

Outcome Measures:

Appropriate administration of the Agency's programs and activities for the citizens of South Carolina.

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Regulatory

1141 Administration

The Administrative Unit is responsible for the overall operation and provision of support services for the Agency, as well as serving as a point of contact for, and as facilitator in the statewide community with respect to the Agency's mission. The Agency administers the South Carolina Human Affairs Law, as amended; the South Carolina Fair Housing Law as enacted in 1989; and the Equal Enjoyment and Privileges to Public Accommodations Act. The Commissioner, the Chief Executive Officer of the Agency, is employed by the Agency's Governing Board (15 Members) with the approval of the Governor. The Commissioner directs and coordinates all agency operations and ensures they effectuate the policies, rules and regulations established by the Commission and the mandates of the South Carolina Human Affairs Law. These include various regulations and reporting requirements of the Governor's Office, General Assembly, Budget and Control Board and other State Government agencies and certain federal regulations regarding recordkeeping and reporting. The Commissioner is responsible for hiring an administrative staff to assist in carrying out the support services necessary for the smooth operation of the Agency. The administrative staff consists of finance and budgeting, legal services, human resource management, information technology, procurement and public information. (Section 1-13-10 et. seq. of the SC Code of Laws as amended)

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Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$586,218	\$582,718	\$0	\$0	\$0	\$3,500	7.00

Expected Results:

That the Agency's legal mandates are carried out; all recordkeeping and reporting is accomplished by the administrative personnel; that the administrative personnel respond to the needs of the Commissioner, Governing Board, and staff of each programmatic area.

Outcome Measures:

The Agency runs smoothly; applies appropriate management and administration of the Agency's legal mandates, programs, and activities for the citizens of South Carolina.

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1142 Legal

The Legal Unit provides advice and counsel necessary to ensure the proper enforcement of all laws assigned to the Agency. It also provides the necessary legal consultation and services to the Agency by reviewing complaints and investigated files; provides legal assistance to both Agency personnel in the conduct of their duties and to private citizens; drafts pleadings, legislation, agreements and other related documents as appropriate; prosecutes complaints before the Commission, as provided by law; litigates cases in court, as provided by law, and conducts legal research. (Sections 1-13-50 & 1-13-70 of the SC Code of Laws of 1976, as amended).

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$206,828	\$206,828	\$0	\$0	\$0	\$0	3.00

Expected Results:

1. Improve the ability of the Agency to achieve the enforcement of its assigned laws efficiently and effectively.
2. Provide legal advice and counsel to Agency staff, government agencies as well as to businesses and individuals.

Outcome Measures:

1. Process subpoenas for enforcement to ensure timeliness of investigations.
2. Respond to the requisite number of Freedom of Information Act (FOIA) requests.
3. Participation in numerous outreach and training seminars.
4. Review all SHAC investigations for legal sufficiency. During FY2006-2007: 1. The Legal Department responded to 26 requests for subpoenas; 134 requests under the Freedom of Information of Act (FOIA); participated in six (6) outreach and training seminars; and reviewed a total of 1,344 SHAC investigations.

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1143 Technical Services & Training

The Commission was created to prevent and eliminate problems in human affairs. The Technical Services and Training Division's primary purpose and functions are to prevent discrimination. The Division provides the technical support and necessary consultation and training to state agencies that are required by state law (Sections 1-13-110 & R65-20 of the South Carolina Code of Laws of 1976, as amended) to develop and file with this Agency, affirmative action plans that are compliant with state and federal regulations. The Division monitors agencies' affirmative action compliance and progress, and in accordance with Section 1-13-110 of the South Carolina Human Affairs Law and Proviso 72.16 of the FY 2004-2005 Appropriations Act, the Division prepares and submits a report on the status of State Agencies' Affirmative Action Plans and Programs by February 1st of each year to the General Assembly. The Division also develops and teaches educational seminars designed to familiarize employers with state and federal EEO laws and recommends practical methods to prevent discrimination. These seminars are offered to any employer, public or private, including the SC General Assembly, upon request. (Section 1-13-70 of the SC Code of Laws of 1976, as amended)

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$374,688	\$308,445	\$0	\$0	\$0	\$66,243	6.00

Expected Results:

1. Assist 84 State agencies in developing affirmative action plans.
2. Train managers and supervisors.

Outcome Measures:

1. Review affirmative action plans of all state agencies with 15 or more employees based on new analysis.
2. Provide training to approximately 1,500 individuals representing public and private sector employers. During FY2006-2007: 1. Seventy-nine (or 92%) of state agencies achieved at least 70% of their goals. 2. Training was provided to 1,539 participants.

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1144 Community Relations

The Community Relations Division was created to encourage local resolution of local problems and to foster better community relations throughout the State. The Division uses conference, conciliation and persuasion to bring together cross sections of people to resolve disputes involving alleged discrimination in police-community relations, education, public accommodations, business practices and other non-employment issues. (Section 1-13-70 of the SC Code of Laws of 1976, as amended).

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Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$75,479	\$8,411	\$0	\$0	\$0	\$67,068	1.00

Expected Results:

1. Creation of local Community Relations Councils across the State. 2. Train members on identification of problems, setting priorities in program planning and development, and planning for funding processes for community projects.

Outcome Measures:

1. The creation of two (2) additional Community Relations Councils. 2. A significant and increasing percentage of local community relations problems resolved by Councils. 3. Resolution of seventy-four (74) non-employment complaints of discrimination. During FY2006-2007: 1. Two (2) new Community Relations Councils were created. 2. More than 70% of community problems were resolved by local Councils. 3. Resolved seventy-four 74 non-employment complaints of discrimination.

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1145 Intake & Referral

Intake and Referral services are provided for persons who believe they have been discriminated against in the areas of employment or other practices on the basis of race, religion, color, sex, age (40 or above), national origin, disability, or public accommodations on the basis of race, color, religion, or national origin. This process involves the initial receipt of inquiries and complaints, screening, interviewing, gathering records and documents, and drafting formal charges of discrimination. This initial stage leads to either mediation, investigation, waiver to the federal government or dismissal and/or referral to a more appropriate source. The normal turnaround processing time is generally within 90 days or less. (Section 1-13-10 et. seq. of the SC Code of Laws of 1976, as amended).

FY 2007-08						
Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$383,884	\$125,718	\$0	\$0	\$0	\$258,166	6.00

Expected Results:

1. Provide timely service to potential complainants contacting the Agency by mail, telephone, or personal visit. 2. Complete, in a timely manner, the writing of charges to stay within the 90-day turnaround timeframe or less. 3. Provide proper processing and referral of all complaints in a timely manner.

Outcome Measures:

1. Frame all jurisdictional complaints for filing under the Human Affairs Law. 2. Refer non-jurisdictional complaints to appropriate agencies or sources. During FY 2006-2007: 1. Of the approximately 27,000 to 30,000 requests received, 25,000 to 30,000 questionnaires were mailed to potential complainants. 2. Complainants completed and returned for processing approximately 3,600 questionnaires which resulted in 1,329 formal charges

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of discrimination filed and approximately 2,271 were referred to other sources for various non-jurisdictional reasons.

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1146 Employment Discrimination Receipt, Processing & Resolution

This activity provides for the intake, mediation, investigation, and resolution of complaints of unlawful employment discrimination based on race, color, sex, age (40 or above), religion, national origin and mental or physical disability filed against private and public sector employers located in South Carolina (Section 1-13-10 et. seq. of the South Carolina Code of Laws of 1976, as amended). Implementation of this activity enables the State to attain and maintain deferral status over complaints arising in South Carolina which are filed with the U. S. Equal Employment Opportunity Commission (USEEOC) under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act.

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Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$1,014,531	\$764,653	\$0	\$0	\$0	\$249,878	17.00

Expected Results:

1. Maximize the number of complaints investigated and resolved consistent with the agency's staffing level while assuring adherence to applicable state and federal qualitative standards. 2. Maintain a 100% acceptance rate of Agency final actions by the USEEOC. 3. Minimize the need for many cases of alleged employment discrimination to proceed to litigation. 4. Encourage voluntary compliance with state and federal laws regarding equal employment opportunity. 5. Reduce both the need and opportunity for federal enforcement in the State.

Outcome Measures:

1. Receipt of 2,400 employment discrimination charges. 2. Investigate to final action all jurisdictional complaints of discrimination received. 3. Maintain 100% acceptance rate of complaint dispositions by the US EEOC. During FY2006-2007: 1. The Agency received 1,972 employment discrimination complaints. 2. Investigated to final action a total of 1,206 jurisdictional charges of discrimination. 3. Maintained 100% rate of acceptance of complaint disposition by the US EEOC. No cases were overturned by the US EEOC or any Court.

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1147 Mediation

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Mediation is an alternative means of redress for South Carolinians who believe that they have been subjected to unlawful discrimination on the basis of race, religion, color, sex, age (40 or above), national origin or disability. The primary benefit of this service is to provide a greater potential to preserve some semblance of healthy employee/employer relationship in the future as opposed to adversarial positions parties assume when complaints are investigated. (Section 1-13-70 of the SC Code of Laws of 1976, as amended).

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$218,895	\$127,175	\$0	\$13,075	\$0	\$78,645	4.00

Expected Results:

1. Reduce the average case processing time from assignment to mediation to final resolution. 2. Expand the scope of mediations to include all laws and regulations enforced by the Agency. 3. Secure a higher level of participation by state agencies in the mediation process.

Outcome Measures:

1. Average case processing time was maintained. 2. Mediation was expanded to include discrimination in Public Accommodations, Fair Housing and allegations of discrimination under Section 90(e) of the Human Affairs Law. 3. Five additional state agencies participated in the mediation process for the first time. During FY2006-2007: There were 177 mediations conducted, 126 resulted in settlement agreements--a 9.25% increase over FY 05-06.

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1148 Fair Housing Investigations

The SC Fair Housing Law, (Section 31-21-10 et. seq. of the SC Code of Laws of 1976, as amended), makes housing discrimination unlawful because of a person's race, color, religion, sex, national origin, physical or mental handicap or familial status. The Commission enforces this law through investigative action.

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$202,761	\$32,851	\$169,910	\$0	\$0	\$0	4.00

Expected Results:

1. Process and investigate complaints in an efficient and effective manner. 2. Conduct case processing within the strict 100-day timeframe. 3. Maximize the number of complaints resolved consistent with the Agency's staffing level while assuring adherence to applicable state and federal qualitative standards. 4. Maintain a high acceptance rate of final actions by the U. S. Dept. of Housing & Urban Development (HUD). 5. Conciliation of cases in accordance with HUD regulations and guidelines and the SC Fair Housing Law. 6. Reduce the need and opportunity for federal enforcement within the State.

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Outcome Measures:

1. Final resolution through conciliation and investigation of all fair housing complaints. 2. Maintain a 75% case processing within the 100-day timeframe. 3. Minimize the need for costly litigation to complainants by maintaining a high percentage of case resolutions. During FY2006-2007: 1. Ninety-six (96) Fair Housing complaints were investigated to final resolution. 2. Maintained 75% case processing within the 100-day timeframe. 3. No litigation of complaints investigated by the Agency was required.

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1149 Fair Housing - Education & Outreach

The Commission seeks to inform the citizens and affected entities of their rights and responsibilities under the Fair Housing Law through education and outreach (prevention and enforcement). Specifically tailored training for community groups, housing providers, and banks are provided upon request. Since the inception of the Law, the Commission has continuously held education and outreach seminars throughout the State of South Carolina. The Commission's Education and Outreach program makes a special effort to reach the underserved communities and populations. (Section 31-21-100 of the SC Code of Laws of 1976, as amended).

FY 2007-08

Total	General Funds	Federal Funds	Supp. Funds	CRF	Other Funds	FTEs
\$7,618	\$0	\$7,618	\$0	\$0	\$0	0.00

Expected Results:

1. A better educated population relative to the Fair Housing Law. 2. Prevention of housing discrimination within the state through a comprehensive understanding of the Fair Housing Law. 3. Use of the Agency as a valuable resource relative to issues of fair housing. 4. Encourage voluntary compliance of state and federal laws regarding fair housing. 5. Provide citizens with information on how to access the Commission relative to fair housing discrimination.

Outcome Measures:

1. Work to build a better educated population, which will help prevent housing discrimination through outreach and training and dissemination of fair housing brochures and posters to potential complainants and fair housing providers. Dissemination of 17,750 brochures, posters, information in publications to potential complainants and fair housing providers. During FY2006-2007: 1. Impacted 32,250 people through various media, training and outreach.

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AGENCY TOTALS

Human Affairs Commission

TOTAL AGENCY FUNDS	TOTAL GENERAL FUNDS	TOTAL FEDERAL FUNDS	TOTAL OTHER FUNDS
\$3,080,402	\$2,166,299	\$177,528	\$723,500
	TOTAL SUPPLEMENTAL FUNDS	TOTAL CAPITAL RESERVE FUNDS	TOTAL FTEs
	\$13,075	\$0	48.00